IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.1960 of 2006
Date of Decision: 9.1.2007

National Insurance Company Limited

Appellant

versus

Amit Kumar and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE BALDEV SINGH

Present: Shri Manmohan, Advocate for
Shri Suman Jain, Advocate for the appellant
Shri Rajinder Goyal, Advocate
Shri Neeraj Khanna, Advocate

Jasbir Singh, J. (Oral)

This appeal has been filed by the Insurance Company against award passed by the Motor Accident Claims Tribunal, Rohtak (in short, the Tribunal), on 15.12.2005.

It is primary grievance of the appellant that the compensation awarded, to the claimants-respondents, is on the higher side.

After hearing counsel for the parties, we feel that the argument raised is not justified. Factum of accident and death of Smt.Usha, on account of that accident, is not in dispute. It is an admitted fact that she was only 35 years old and was running a boutique. Her income was assessed at Rs.3300/- per month, which, we feel is perfectly justified. Even an unskilled labourer will get more than this amount. Multiplier of 16 has been applied, which is in consonance with the second schedule annexed with the Motor Vehicles Act, 1988. The cut imposed for personal spending is on the higher side. Be that as it may, we feel that the amount awarded is perfectly justified. No case is made out for interference.

Dismissed.

(Jasbir Singh)
Judge

January 09, 2007 **(Baldev Singh)**

gk

Judge